

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

DEANNA THOMAS,

*Plaintiff,*

VS.

GENERAL MOTORS FINANCIAL  
COMPANY, INC., PRG RECOVERY &  
HOLDINGS, LLC, AMERICREDIT  
FINANCIAL SERVICES, INC.,  
PATRICK K. WILLIS COMPANY, INC.,

*Defendants.*

SA-19-CV-01418-DAE

**SHOW CAUSE ORDER**

Before the Court in the above-styled cause of action. On March 12, 2021, the District Court referred Defendant PRG Recovery & Holdings, LLC and Patrick K. Willis Co., Inc.'s Motion for Sanctions and Show Cause [#77], which concerns Plaintiff's conduct during her deposition. The undersigned entered an Order [#78] setting the motion for a hearing on April 14, 2021, and requiring the parties to confer on the matters raised in the motion and to file a joint advisory prior to the hearing describing which issues remain in dispute and their respective positions on the issues. Defendants filed an advisory [#81] in compliance with the Court's Order, but it reflects that Plaintiff refused to confer regarding the matters raised in the motion. Neither did Plaintiff file a response to Defendant's motion.

The Court held a telephonic hearing today, as scheduled, at which counsel for Defendants appeared. Plaintiff, who is proceeding *pro se*, failed to appear. During the hearing, Defendants informed the Court that they had communicated with Plaintiff via email at the address on file with the Court prior to the hearing in an attempt to confer regarding the issues in the pending motion, in compliance with the Court's Order. According to Defendants, Plaintiff refused to

confer on the issues raised in the motion and feigned ignorance regarding her attorney's recent withdrawal and the Orders entered by the Court. Through their email correspondence (which Plaintiff received), Defendants informed Plaintiff of today's hearing and the requirement to confer. Defendants also discussed via email the Court's previous Order [#75], which granted Plaintiff's attorney permission to withdraw and ordered Plaintiff to obtain new counsel or file an advisory indicating her intention to proceed *pro se* on or before May 3, 2021. This Order also instructed Plaintiff to review certain resources for *pro se* litigants. According to Defendants, Plaintiff has been avoiding reviewing the filings in this case as well as correspondence with her previous attorney.

Plaintiff has failed to comply with multiple Orders issued by this Court and has failed to appear at a scheduled hearing; at this point, she appears to be refusing to participate in good faith in the litigation process. Thus, it appears that Plaintiff is choosing not to prosecute her case. Given the foregoing,

**IT IS THEREFORE ORDERED** that Plaintiff is hereby directed to **SHOW CAUSE** why this case should not be dismissed for want of prosecution and for failure to follow a Court order by **FILING A RESPONSE** to the Show Cause Order on or before **May 10, 2021**. Plaintiff's failure to do so could result in the dismissal of this case under Rule 41(b). **The District Clerk is Ordered to serve a copy of this Order as well as the Court's previous Order [#75] on the Plaintiff via certified mail, return receipt requested at the address on file with the Clerk's Office as well as via email at the email address on file with the Clerk's Office.**

**IT IS FUTHER ORDERED** that Defendant PRG Recovery & Holdings, LLC and Patrick K. Willis Co., Inc.'s Motion for Sanctions and Show Cause [#77] is **HELD IN ABEYANCE** pending any response by Plaintiff to this Order to Show Cause.

**IT IS SO ORDERED.**

SIGNED this 14th day of April, 2021.



ELIZABETH S. ("BETSY") CHESTNEY  
UNITED STATES MAGISTRATE JUDGE